

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Hardeep Singh,

Petitioner,

vs.

Chad Wolf, et al.,

Respondents.

No. CV-20-01169-PHX-SPL

ORDER

Petitioner Hardeep Singh has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1). On July 20, 2020, Respondents filed a Motion to Dismiss (or alternatively, to transfer) (Doc. 18). The Honorable James F. Metcalf, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 21), recommending that the Court grant the Motion to Dismiss/Transfer and transfer the Petition for Writ of Habeas Corpus to the United States District Court for the Southern District of Mississippi. Judge Metcalf advised the parties that they had fourteen (14) days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. (Doc. 21 at 23) (citing Fed. R. Civ. P. 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

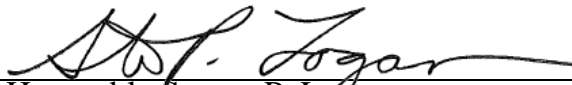
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must

1 determine de novo any part of the magistrate judge's disposition that has been properly
2 objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-taken.
3 The Court will adopt the R&R and grant the Motion to Transfer. *See* 28 U.S.C. § 636(b)(1)
4 (stating that the district court "may accept, reject, or modify, in whole or in part, the
5 findings or recommendations made by the magistrate"); Fed. R. Civ. P. 72(b)(3) ("The
6 district judge may accept, reject, or modify the recommended disposition; receive further
7 evidence; or return the matter to the magistrate judge with instructions."). Accordingly,

8 **IT IS ORDERED:**

- 9 1. That Magistrate Judge James F. Metcalf's Report and Recommendation
10 (Doc. 21) is **accepted** and **adopted** by the Court;
- 11 2. That the Motion to Dismiss/Transfer (Doc. 18) is **granted**;
- 12 3. That the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241
13 (Doc. 1) shall be **transferred** to the United States District Court for the Southern District
14 of Mississippi; and
- 15 4. That the Clerk of Court shall **terminate** this action.

16 Dated this 11th day of January, 2021.

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18 Honorable Steven P. Logan
19 United States District Judge
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